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Update on stop receipt data, predictive policing, pretextual stops

Date: January 14, 2021

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PPG Policy Fellow submitted the following letter to the Buffalo Common Council Police Oversight Committee.

To: Buffalo Common Council Police Oversight Committee

From: Miles Gresham, Policy Fellow, Partnership for the Public Good

Re: Update on stop receipt data, predictive policing, pretextual stops

Date: 1/14/21

Members of the Committee,

I would like to ask the following questions of the Committee:

- 1.) Per our FOIL request of the Buffalo Police Department, we learned that stop receipts were only issued by 11% of officers assigned to patrol duty between June 25 and October 28, 2020, following the Mayor's order that BPD issue stop receipts at traffic stops. Of 223 stops during this time, over two thirds of those stopped were African American. Can the Committee or BPD leadership explain the disparity in the racial makeup of those stopped, and the low number of officers actually issuing stop receipts? Further, has there been any additional data on these issues that can be shared today?
- 2.) Recently, the Common Council approved a contract to implement a new data analysis system. When will this system be implemented, and has the Common Council ensured that the system will not share or keep data in violation of the Criminal Procedure Law? Some council members previously expressed their insistence that the public should be able to access data collected; when will information be shared publicly about how the system works and how public access will be provided?
- 3.) After the Mayor's executive orders of Summer 2020, the police were directed not to stop drivers for certain reasons, and to issue on-site appearance tickets for most low level offenses. Is there any available data on whether the number of stops has reduced following the executive orders being implemented, on the reasons for stops that have still occurred, and the number of on-site appearance tickets (as opposed to desk appearance tickets) issued?
- 4.) Is the Common Council moving forward the recommendations made by the Police Advisory Board in June and September 2020? These include:
 1. establishing a new independent police oversight model in Buffalo,
 2. adopting and implementing Law Enforcement Assisted Diversion (LEAD),
 3. and removing police from mental health crisis response.

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